

REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on April 30, 2007, the Examiner objected to claims 13 and 18, rejected claims 1, 4-7 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin (United States Patent No. 5,490,353, hereinafter "McLaughlin"), rejected claims 2-3 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin in view of Cotton Jr (United States Patent No. 6,588,159, hereinafter "Cotton"), rejected claims 1, 4-6 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber (United States Patent No. 4,175,357, hereinafter "Goldhaber"), rejected claims 2-3, and 8-18 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of Cotton, and rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of McLaughlin. Accordingly, Applicant respectfully provides the following:

Claim Objections

In the Office Action, the Examiner objected to claims 13 and 18. Applicant respectfully submits that the amendments provided herein include the required corrections and thus overcome the objections made to claims 13 and 18.

Rejections under 35 U.S.C. §103

In the Office Action, the Examiner rejected claims 1, 4-7 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin, rejected claims 2-3 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin in view of Cotton, rejected claims 1, 4-6 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber, rejected claims 2-3, and 8-18 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of Cotton, and rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of McLaughlin. Applicant respectfully submits that

the claim set as provided herein is not made obvious by the cited references and provides the following:

The standard for a Section 103 rejection is set for in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the references cited by the Examiner do not teach or suggest the limitations claimed in the present invention. In particular, independent claim 1 recites an interior window covering frame assembly comprising: an elongate core substrate configured to frame at least a portion of a window opening, wherein said elongate core substrate comprises a thickness of less than 5/16 inch, said elongate core substrate comprising an elongate lateral plate perpendicularly coupled to an elongate flange, wherein said elongate lateral plate is configured to be coupled in a parallel fashion to an adjacent wall, and wherein said elongate flange is configured to extend out from said wall and to retain a hinge that is coupled to a window covering; and said window covering coupled to said elongate core substrate such that a portion of said window covering frame assembly is concealed, and wherein said elongate flange is configured to retain at least a portion of said window covering.

Independent claim 8 recites an interior window covering frame assembly comprising: an elongate core substrate having a thickness less than 5/16 inch and comprising at least one material having an elastic modulus greater than 2.3E, said elongate core substrate comprising an elongate lateral plate perpendicularly coupled to an elongate flange, wherein said elongate lateral

plate is configured to be coupled in a parallel fashion to an adjacent wall, and wherein said elongate flange is configured to extend out from said wall and to retain a hinge that is coupled to a decorative window covering; a connecting channel coupled to a length of said lateral plate and said flange, wherein said connecting channel is configured to be coupled to a perpendicularly oriented connecting channel along a second elongate lateral plate; a window covering coupled to said substrate; and said decorative window covering coupled to at least a portion of said elongate core substrate, wherein said decorative window covering conceals said portion of said core substrate.

Independent claim 13 recites an interior window covering frame system comprising: a window having an associated window jamb and adjacent wall; a frame substrate configured to frame at least a portion of an opening of said window, said substrate comprising a lateral plate and a flange perpendicularly coupled to said lateral plate, wherein said lateral plate is configured to be coupled in a parallel fashion to said adjacent wall, and wherein said flange is configured to extend out from said wall and to retain a hinge that is coupled to a decorative window covering, said substrate being configured to be mounted to at least one of said window jamb and said adjacent wall, said frame substrate having a thickness of less than 5/16 inch and comprising at least one material having an elastic modulus greater than 2.3E; at least one connecting channel coupled to said frame substrate wherein said connecting channel is configured to be coupled to a perpendicularly oriented connecting channel along a second elongate lateral plate; a window covering coupled to said frame substrate; and said decorative window covering coupled to said frame substrate to substantially conceal at least a portion of said frame substrate.

Independent claim 18 recites a method for anchoring an interior window covering adjacent an interior window having a window jamb and an adjacent wall, said method

comprising: providing a frame substrate that comprises a thickness of less than 5/16 inch and has , by volume, an elastic modulus greater than wood, and wherein said substrate further comprises a lateral plate and a flange perpendicularly coupled to said lateral plate; coupling said frame substrate to one of a window jamb and an adjacent wall surface, wherein said lateral plate is coupled in a parallel fashion to said adjacent wall, and wherein said flange is positioned to extend out from said adjacent wall and has a depth sufficient to accommodate a hinge attached to said interior window covering; using a connecting channel to interconnect a first portion of said frame substrate with a second portion of said frame substrate; coupling said connecting channel to a perpendicularly oriented connecting channel along a second elongate lateral plate; attaching said hinge of said interior window covering to said flange; and using said flange to retain said hinge that is coupled to said interior window covering.

Such limitations as recited in the independent claims are supported by the application as originally filed. In contrast, Applicant respectfully submits that none of the cited references, alone or in combination, teaches or suggests all of the claim limitations of independent claims 1, 8, 13, or 18. Since the references cited by the Examiner do not teach or suggest each and every limitation of the independent claims, Applicant respectfully submits that the prior art references do not make obvious the independent claims.

Moreover, since the prior art references do not make obvious the independent claims, Applicant respectfully submits that the prior art references do not make obvious the corresponding dependent claims, which depend from the independent claims.

Thus, Applicant respectfully submits that for at least the reasons provided herein, the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

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Respectfully submitted,



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